

REMARKS

In response to the Office Action mailed May 27, 2009, Applicants respectfully request reconsideration. Claims 1-40 were previously pending in this application with claims 11-26 and 35-40 withdrawn from consideration. By this amendment, claims 1-3 and 27 have been amended. Claims 41-54 have been added. Claims 11-26, 33 and 35-40 have been canceled without prejudice or disclaimer. As a result, claims 1-10, 27-32, 34 and 41-54 are pending for examination with claims 1, 27 and 54 being independent claims. No new matter has been added.

Rejections under 35 U.S.C. §101

Claims 1-10 stand rejected under 35 U.S.C. §101, because the claimed invention is directed to non-statutory subject matter.

Claim 1, as amended, is directed to a network device interaction system comprising “a processor configured to execute a plurality of software components” which is clearly an apparatus and therefore statutory under 35 U.S.C. §101. Claims 2-10 depend from claim 1 and the rejection of these claims under 35 U.S.C. §101 should be withdrawn based at least on their dependency.

Rejections Under 35 U.S.C. §102

The Examiner rejected claims 1-2, 4-8 and 27-34 under 35 U.S.C. §102 as being anticipated by Nishio, U.S. Patent No. 7,316,022. Before discussing the claims, Applicants provide a brief overview of some embodiments of the invention to assist the Examiner in appreciating various aspects of the present invention.

Brief Overview of Some Embodiments

Some embodiments are directed to automatically configuring devices on a network for use by applications executing on a computer also on the network (page 6, lines 21-22). The network device provides metadata indicating an identifier to the computer (page 9, lines 1-5). The computer uses the identifier to determine configuration information for the network device (page 9, lines 13-16). Configuration information may include, for example, a device driver and registry keys (Id.). The identifier may be used to determine the configuration information, for

example, by searching a local or remote repository or prompting the user to provide a portable storage medium that contains the configuration information (page 9, lines 16-20). The configuration information may be stored in association with the identifier to expedite later locating of the information (page 11, lines 13-15).

In some embodiments the network device is associated with the computer before the applications may utilize the network device (page 9, lines 26-27). The association between the devices is authenticated using a suitable credential such as, for example, a PIN code or certificate (page 13, lines 13-19). A secure association may further be used to establish a secure communications channel between the devices (page 13, lines 15-16).

It should be appreciated that the foregoing discussion of embodiments of the invention is provided merely to assist the Examiner in appreciating various aspects of the present invention. However, not all of the description provided above necessarily applies to each of the independent claims pending in the application. Therefore, the Examiner is requested to not rely upon the foregoing summary in interpreting any of the claims or in determining whether they patentably distinguish over the prior art of record, but rather is requested to rely only upon the language of the claims themselves and the arguments specifically related thereto provided below.

Independent Claim 1

Claim 1, as amended, is directed to a network device interaction system. Claim 1 recites, *inter alia*, “determining configuration information using the hardware identifier for the network device, the configuration information indicating a configuration of the network device and comprising one or more registry keys.” This amendment is supported in the specification, for example, page 9, lines 13-16 and page 11, lines 12-17.

This claim as amended distinguishes over the cited references. Nishio describes obtaining a printer driver from a driver path indicated by an HTTP response from the printer (col. 7, lines 28-29; FIG. 5). In Nishio the driver path indicates a specific storage location for the driver on a host computer or a network file server (col. 9, lines 9-13). Nishio is completely silent on “determining configuration information using the **hardware identifier** for the network device” as recited in claim 1. Further, Nishio makes no mention of “configuration information... comprising one or more registry keys.”

Accordingly, claim 1 patentably distinguishes over the prior art of record, such that the rejection of claim 1 under 35 U.S.C. §102 should be withdrawn.

Claims 2-10 and 53 depend from claim 1, incorporate all of its limitations, and should be allowed for at least the same reasons. Though Applicants do not necessarily concur with the rejections, Applicants believe it is unnecessary to separately address the rejections of the dependent claims. However, the dependent claims also add limitations that further distinguish over the references, and Applicants reserve the right to argue further for the patentability of these claims.

Independent Claim 27

Claim 27, as amended, is directed to a method of configuring a network device on a network for use with at least one other network device installed on the network. Claim 27 recites, *inter alia*:

associating the network device with the at least one other network device at least by authenticating the network device with respect to the at least one other network device using a credential;

This claim as amended distinguishes over the cited references. Nishio is completely silent on authenticating the network device with respect to the at least one other network device using a credential.

Accordingly, claim 27 patentably distinguishes over the prior art of record, such that the rejection of claim 27 under 35 U.S.C. §102 should be withdrawn.

Claims 28-32, 34 and 41-52 depend from claim 27, incorporate all of its limitations, and should be allowed for at least the same reasons. Though Applicants do not necessarily concur with the rejections, Applicants believe it is unnecessary to separately address the rejections of the dependent claims. However, the dependent claims also add limitations that further distinguish over the references, and Applicants reserve the right to argue further for the patentability of these claims.

General Comments on Dependent Claims

Since each of the dependent claims depends from a base claim that is believed to be in condition for allowance, Applicants believe that it is unnecessary at this time to argue the

allowability of each of the dependent claims individually. Applicants do not, however, necessarily concur with the interpretation of the dependent claims as set forth in the Office Action, nor do Applicants concur that the basis for the rejection of any of the dependent claims is proper. Therefore, Applicants reserve the right to specifically address the patentability of the dependent claims in the future, if deemed necessary.

New Claims 41-54

Claims 41-54 are added to further define Applicants' contributions to the art. Independent claim 54 includes a limitation directed to associating the network device with the computer at least by authenticating the network device with respect to the at least one other network device using a credential. It should be clear from the discussion of the prior art above with reference to claims 1 and 27 that Nishio fails to satisfy at least this limitation.

Claims 41-52 and 53 depend from claim 27 and 1, respectively, and are allowable based on their dependency.

CONCLUSION

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 23/2825 under Docket No. M1103.70668US00 from which the undersigned is authorized to draw.

Dated: *August 27, 2009*

Respectfully submitted,

By 

Edmund J. Walsh

Registration No.: 32,950

WOLF, GREENFIELD & SACKS, P.C.

Federal Reserve Plaza

600 Atlantic Avenue

Boston, Massachusetts 02210-2206

617.646.8000